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*Attorney for Defendant Specialized Loan
Servicing, LLC.*

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Sammy Cruz,

Plaintiff,

v.

Cameron Financial Group, Inc, a
California corporation and Specialized
Loan Servicing, LLC, a California limited
liability company.

Defendants.

Case No.

NOTICE OF REMOVAL

Removed from the Superior Court of the
State of Arizona in and for the County of
Maricopa
Case No. CV2023-051765

**TO THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF
ARIZONA:**

PLEASE TAKE NOTICE THAT pursuant to Sections 1441(b) and 1332 of Title
28 of the United States Code, Defendant Specialized Loan Servicing, LLC (“SLS”)
hereby removes the action entitled *Sammy Cruz v. Cameron Financial Group, Inc. and
Specialized Loan Servicing, LLC*, Superior Court of the State of Arizona for the County
of Maricopa Case No. CV 2023-051765 (the “Action”), to the United States District
Court for the District of Arizona on the following grounds:

1. Removal Is Timely. On May 10, 2023, plaintiff Sammy Cruz (“Plaintiff”)
filed the Verified Complaint in the Action, which Plaintiff served on SLS via hand
delivery on May 18, 2023. Pursuant to 28 U.S.C. § 1446(a), true and correct copies of all
pleadings, process and orders served on SLS in the Action, including the Verified
Complaint, Summonses, and Plaintiff’s Certificate of Compulsory Arbitration are

1 attached hereto respectively as Exhibits A, B, and C, respectively. SLS has timely filed
 2 this Notice of Removal within thirty days of service of the Complaint. *See* 28 U.S.C. §
 3 1446(b). SLS also submits herewith, as Exhibit D, a true and correct copy of the docket
 4 for the Action from June 15, 2023. SLS also submits true and correct copies of the
 5 Notice of Appearance for undersigned counsel, Exhibit E and Affidavit of Service,
 6 Exhibit F.

7 2. The Court Has Diversity Jurisdiction Over the Action. Removal of this
 8 action to the United States District Court for the District of Arizona is proper pursuant to
 9 28 U.S.C. §§ 1441 and 1332 because there is complete diversity between Plaintiff and
 10 Defendants and the amount in controversy exceeds \$75,000.00.¹

11 3. Plaintiff alleges damages relating to the Second Loan, defined in the
 12 Verified Complaint, which has a balance in excess of \$300,000. *See* Ex. A at ¶¶ 22, 28,
 13 and 31.

14 4. This action is between citizens of different states.

15 5. Both currently, and at the time the Action was filed, Plaintiff resided in and
 16 is a citizen of Maricopa County, Arizona.

17 6. Defendant SLS is a limited liability company formed under the laws of the
 18 State of Delaware, and has its principal place of business within the State of Colorado.
 19 The sole member of SLS is Specialized Loan Servicing Holdings LLC, which in turn is a
 20 wholly owned subsidiary of Computershare Limited.

21 7. Computershare Limited is a foreign corporation formed under the laws of
 22 the nation of Australia and has its principal place of business within the nation of
 23 Australia. As a result, SLS is deemed to be a citizen of the nation of Australia. *See* 28
 24 U.S.C. § 1332(c)(1); *see also Zambelli Fireworks Mfg. Co. v. Wood*, 592 F.3d 412, 420
 25 (3d Cir. 2010) (“every federal court of appeals to address the question has concluded that

26
 27 ¹ Although Plaintiff has named fictitious corporations as Defendants, under 28 U.S.C. §
 28 1441, the citizenship of defendants sued under fictitious names shall be
 disregarded in determining whether a civil action is removable on the basis of the
 jurisdiction under section 28 U.S.C. § 1332(a)

1 a limited liability company, as an unincorporated business entity, should be treated as a
2 partnership for purposes of establishing citizenship. . . . Accordingly, the citizenship of an
3 LLC is determined by the citizenship of its members.”); *Cosgrove v. Bartolotta*, 150 F.3d
4 729, 731 (7th Cir. 1998) (“the citizenship of an LLC for purposes of the diversity
5 jurisdiction is the citizenship of its members.”).

6 8. As set forth above, there is complete diversity of citizenship as between
7 Plaintiff and SLS, because SLS is not a citizen of the State of Arizona. *See Zambelli*
8 *Fireworks*, 592 F.3d at 419.

9 9. Upon information and belief, Defendant Cameron Financial Group, Inc. is a
10 California corporation with its principal place of business in San Luis Obispo, California.

11 10. No Consent Necessary. SLS is the only named defendant in this action that
12 has been served as of the date of this filing and thus need not obtain consent from
13 Defendant Cameron Financial Group, LLC. *See* 28 U.S.C. § 1446(b)(2). Therefore, SLS
14 may remove this Action.

15 11. Venue Is Proper In This Court. This Court is the proper district court for
16 removal because the Superior Court of the State of Arizona for the County of Maricopa is
17 located within the United States District Court for the District of Arizona. *See* 28 U.S.C.
18 § 1441(a).

19 12. Notice Will Be Effected. SLS is simultaneously filing a copy of this Notice
20 of Removal with the Superior Court of the State of Arizona for the County of Maricopa.
21 SLS will serve Plaintiff with copies of this Notice of Removal and the Notice filed in
22 state court.

23 WHEREFORE, pursuant to these statutes, SLS prays that the above entitled action
24 in the Superior Court of Arizona for the County of Maricopa be removed to this Court.

1 RESPECTFULLY SUBMITTED this 15th day of June, 2023.

2 BALLARD SPAHR LLP

3 By: /s/ Sarah A. Noe

4 Sarah A. Noe (036283)

5 1 East Washington Street, Suite 2300

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7 *Attorneys for Defendant Specialized Loan*
8 *Servicing, LLC.*

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VERIFICATION OF SARAH A. NOE

Per LRCiv 3.6(b), I verify under penalty of perjury that the state court Action records attached to this Notice of Removal are true and correct copies of all documents served on Specialized Loan Servicing, LLC in Sammy Cruz v. Cameron Financial Group, Inc. and Specialized Loan Servicing, LLC, Superior Court of the State of Arizona for the County of Maricopa Case No. CV 2023-051765.

Dated: June 15, 2023

/s/ Sarah A. Noe

Sarah A. Noe

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CERTIFICATE OF SERVICE

I certify that on this 15th day of June, 2023, I electronically filed the foregoing document via the court's CM/ECF electronic filing system. A complete copy of the foregoing sent via email this same date to the following:

Christopher J. Charles
Joseph V. Aulicino
14646 N. Kierland Boulevard, Suite 230
Scottsdale, AZ 85254
fileclerk@providentlawyers.com
Attorneys for Plaintiff

On June 16, 2023, a COPY of the foregoing was sent out via U.S. Mail to the following:

Christopher J. Charles
Joseph V. Aulicino
14646 N. Kierland Boulevard, Suite 230
Scottsdale, AZ 85254
Attorneys for Plaintiff

/s/ Vicki L. Morgan

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